



U.S. Department of Justice

*United States Attorney
District of Rhode Island*

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August 12, 2009

Kevin Fitzgerald, Esq.
10 Weybosset Street
Providence, RI 02903

Re: Speedy Trial Act Waiver in
U.S. v. Ming Yan, Cr. No. 1:09-MJ-00087-DLM

Dear Attorney Fitzgerald:

This letter is written to memorialize the agreement entered into by your client, Ming Yan, and the United States.

1. Mr. Yan was summonsed and charged on May 12, 2009, with Smuggling Goods into the United States Contrary to Law in Violation of 18 U.S.C. § 545; Introducing Misbranded Drugs into Interstate Commerce in Violation of 21 U.S.C. § 331(a); Laundering of Monetary Instruments (International Promotion) in Violation of 18 U.S.C. § 1956(a)(2)(A); International Promotion In violation of 17 U.S.C. § 506(a)(1)(B); Counterfeit Labeling of Motion Pictures and Packaging in Violation of 18 U.S.C. § 2318(a)(1)(A)(iii) & (vii); and Criminal Infringement of a Copyright in Violation of 18 U.S.C. § 2319(c)(1). The Speedy Trial Act requires that an indictment or information be filed within 30 days of that summons. 18 U.S.C. §3161(b).

2. On August 12, 2009, the parties agreed that a period of time should be excluded from that 30-day period, pursuant to 18 U.S.C. §3161(h), so that the parties could engage in plea discussions which might resolve this matter. Specifically, it was agreed that the period to be excluded began on May 12, 2009 and would continue until your client either notified me in writing that further plea discussions were unnecessary, but in any event that this period would last no longer than September 15, 2009.

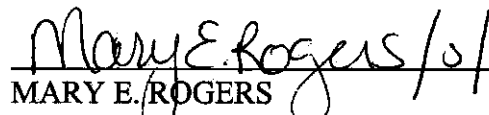
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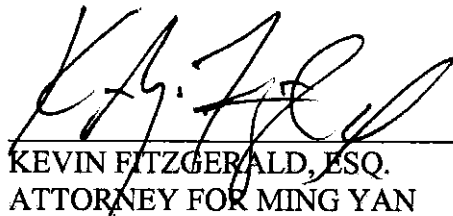
August 12, 2009

3. By his signature below, Mr. Yan agrees that the period of plea negotiations, not to exceed the period from May 12, 2009 to September 15, 2009, will be excluded from the Speedy Trial Act calculations; further, Mr. Yan knowingly and voluntarily waives any right to move to dismiss the Complaint in the above action based on a violation of the 30-day limit which includes the period which the parties agree should be excluded.

Sincerely,

ROBERT CLARK CORRENTE
United States Attorney


MARY E. ROGERS
Assistant U.S. Attorney

 8-12-9

KEVIN FITZGERALD, ESQ. DATE
ATTORNEY FOR MING YAN